IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 4788 of 2007(T)

PETITIONER:

A. SUDHIR,
UPPER DIVISION CLERK, CHAVARA GRAMA PANCHAYAT,
KOLLAM.

BY ADV. SRI.M.SASINDRAN
SRI.TOJAN J. VATHIKULAM

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PANCHAYATS,
THIRUVANANTHAPURAM.

3. THE CHAVARA GRAMA PANCHAYAT,
KOLLAM, REPRESENTED BY ITS SECRETARY.

4. SASI KUMAR,
U.D.C., VAZHAYOOR GRAMA PANCHAYAT,
MALAPPURAM DISTRICT.

Addl.5. SHALBI BEN YASMIN, AGED 34 YEARS,
GOVERNMENT EMPLOYEE, D/O.KHADER THAIVALAPPIL,
ALA DESOM, SREENARAYANAPURAM VILLAGE,
KODUNGALLOOR TALUK.

(Impleaded as per order in IA.No.3485/2007 dated 14-3-2007)

R1 & 2 BY GOVT. PLEADER SHRI.P.NANDAKUMAR.
R5 BY SRI.BABU KARUKAPADATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.4788 of 2007.

Petitioner's Exhibits:-

P1: Copy of the order bearing No.E2-5161/02 dtd.22-11-2005 issued by the Deputy Director of Panchayat, Kollam.

P2: Copy of the proceedings of the Secretary of the Panmana Panchayat dtd.25-11-2005.

P3: Copy of the order bearing No.E4/666/05 dtd.12-4-2005.

P4: Copy of the order dtd.9-2-2007.

P5: Copy of the G.O.(Ms.) No.215/2005 LSGD dtd.26-7-2005 approving the guidelines to be followed in the matter of transfer of employees of the Panchayat Department.

Respondents' Exhibits:-

5th respondent's Exhibits:-

Ext.R5(a): Copy of the relevant portion of the order dated 25-1-2007 of the Director of Panchayat, Thiruvananthapuram.

-// true copy //-

P.A. To Judge.

kvs/-

K.K.DENESAN, J.

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WP(C).No.4788 of 2007-T.

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Dated this the 14th day of March, 2007.

J U D G M E N T

The petitioner while working as Upper Division Clerk in Chavara Grama Panchayat in Kollam district was transferred to Vazhayoor Grama Panchayat where the 4th respondent has been working. This Court passed an interim order staying all further proceedings pursuant to Ext.P4 order of transfer. Government Pleader submits that the 2nd respondent Director of Panchayats is prepared to review Ext.P2 as far as the petitioner is concerned, so that, he will be allowed to work as Upper Division Clerk in Chavara Grama Panchayat so as to allow him to complete the tenure of three years in that Panchayat as per the guidelines. This is recorded.

2. If follows that appropriate orders shall be passed by the 2nd respondent in terms of the above statement made by the Government Pleader on behalf of

that respondent. The writ petition has become infructuous and it is dismissed accordingly. The interim order passed on 12-2-2007 shall stand vacated.

K.K.DENESAN, JUDGE.

kvs/-